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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/916,113	07/27/2001	Tetsuya Hino	041-2079	7453
7590 11/15/2004 LOWE HAUPTMAN GILMAN & BERNER, LLP Suite 310 1700 Diagonal Road Alexandria, VA 22314			EXAMINER MANIWANG, JOSEPH R	
			ART UNIT 2144	PAPER NUMBER

DATE MAILED: 11/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Best Available Copy

Office Action Summary

Application No.

09/916,113

Applicant(s)

HINO ET AL.

Examiner

Joseph R Maniwang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☒ Claim(s) 1, 5, 12, and 36 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 07/27/01.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

1. Acknowledgement is made of applicant's claim for foreign priority under U.S.C. 119(a)-(d). The effective filing date for the subject matter defined in the pending claims in this application is 07/28/00.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 07/27/01 was in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement was considered by the Examiner.

Claim Objections

3. Claim 12 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 12 recites that a gateway service list producing means is configured to produce gateway service list information based on appliance panel information stored in memory, in response to a request by a remote control device. The limitations set for in this claim fail to further limit parent claim 11, in which it is disclosed that a gateway service list producing means provides a remote control device with gateway service list information produced based

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on appliance panel information, the gateway service list information being requested by the remote control device. The gateway service list being configured for the functionality described in claim 12 is inherent by virtue of its described functionality of claim 11.

4. Claim 1 is objected to because of the following informalities: recitation of the phrase "possible be accepted" appears to be a typographical error. Appropriate correction is required.

5. Claim 5 is objected to because of the following informalities: recitation of the phrase "of which front panel has been operated" appears to be a typographical error. Appropriate correction is required.

6. Claim 36 is objected to because of the following informalities: recitation of the phrase "means for send" appears to be a typographical error. Appropriate correction is required.

Claim Rejections - 35 USC § 103

7. Claims 1-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Edson (U.S. Pat. No. 6,526,581), hereinafter referred to as Edson, and further in view of Amro et al. (U.S. Pat. No. 6,507,762), hereinafter referred to as Amro.

8. Edson disclosed a system for networking devices of various divergent technologies for access to communications. The system included a gateway connected to a plurality of devices (see column 3, lines 14-18; column 9, lines 8-14). The devices connected to the system included appliances (see column 7, lines 44-57), which could

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be remotely controlled through the use of the gateway (see column 15, lines 29-39).

The gateway comprised a memorizing means for storing an operating system controlling the functions of the gateway (see column 9, lines 8-32). Edson disclosed such functions to include determining whether or not a command received over a network would be allowed through or not (see column 9, lines 34-51). Edson disclosed the use of at least a first and a second network for transmitting commands and data (see column 3, lines 11-25, 63-66; column 5, lines 36-44; column 9, line 64 through column 10, line 6). Upon determining whether a command received through the network was acceptable, the gateway produced a control command specific to the appliance being controlled (see column 3, lines 40-43; column 12, lines 21-37). Edson disclosed the use of different interfaces for enabling communications between appliances through the network (see column 3, lines 25-43, 46-59; column 4, lines 45-65; column 12, lines 50-67).

9. While Edson disclosed the use of device-specific interfaces for operation of the appliances, Edson did not specifically disclose an appliance panel inputting means for inputting appliance panel information indicating panel parts of the appliance on a display screen.

10. In a related art of remote appliance control, Amro disclosed a method and system for remotely controlling an appliance over a network. Similar to the invention of Edson, Amro disclosed using a computer for controlling conventional appliances over a network (see column 3, lines 12-33). Like Edson, communications as disclosed by Amro were in the form of appliance commands (see column 7, lines 2-5). The system

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determined whether or not a received command was acceptable (see column 7, lines 17-26). Most importantly, Amro also disclosed the use of appliance-specific interfaces, with the additional provision for providing a graphical interface on a display (see column 4, lines 44-55; column 5, line 64 through column 6, line 4). Amro disclosed an inputting means and a memorizing means for loading the interfaces to the remote controller (see column 4, lines 57-60; column 6, lines 18-32). The interfaces included APIs and configuration objects that were loaded onto the remote controller and displayed a graphical interface representing a control panel of the appliance (see column 6, lines 4-9, 32-62).

11. It would have been obvious to one of ordinary skill in the art to combine the teachings of Edson and Amro to provide a system in which a gateway connected to a network determined whether or not a control command was acceptable and generated a control command for an appliance, including an appliance panel information inputting means for acquiring information indicating a control panel of an appliance for display on a screen as claimed. One of ordinary skill in the art would have been motivated by Amro to consider incorporating a panel information inputting and displaying means as it would have offered a user less dependence upon the appliance's actual display for device state information, and would have created a truly remote control system (see column 1, lines 30-39; column 4, lines 4-22). Edson also recognized the future possibility for new appliances with different features to become available for use in the network (see column 15, line 66 through column 16, line 2), a fact similarly recognized by Amro as a limitation of prior art concerning appliance diversity (see column 4, lines

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23-29), further motivating one to combine the teachings to overcome this common problem. The combination of teachings further suggests the claimed limitations as follows. Amro disclosed the use of a remote control to control an appliance (see column 5, lines 13-34). Amro disclosed operating an appliance using its panel (see column 6, lines 4-9). Amro and Edson disclosed a command outputting means for outputting generated control commands (see Amro, column 5, lines 17-19; Edson, column 12, lines 21-37). Amro and Edson disclosed the ability to update appliance panel and state information (see Amro, column 4, lines 51-60; Edson, column 13, lines 1-8; column 9, lines 25-27). Amro disclosed requesting and receiving service list information from a gateway (see column 4, lines 51-55). Edson disclosed the use of a browser for accessing service information (see column 11, lines 30-40). Amro disclosed the use of a virtual machine (see column 6, lines 3-4). Edson disclosed using priority information for processing commands (see column 9, lines 27-32). Edson disclosed detecting usability of an appliance on a network (see column 12, lines 21-28).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Vasell et al. (U.S. Pat. No. 6,496,575) disclosed a service gateway for connecting household appliances to a network and controlling them, including the use of tables and Java Virtual Machine.

Bailey et al. (U.S. Pat. No. 6,731,201) disclosed a gateway for translating commands between a communications protocol and appliance control signals for allowing a remote host to monitor and control appliances.

Hayes et al. (U.S. Pat. No. 6,480,586) disclosed a system for controlling multiple electronic devices in homes through telephone lines using an appliance gateway.

Wiklof et al. (U.S. Pat. No. 6,618,162) disclosed a method and system for configuring a device over a network.

Amro et al. (EU 1107209A1) disclosed a method and system for remotely controlling an appliance over a network.

Ryzhov (WO 99/09068) disclosed a system for remotely controlling domestic appliances over a network.

Barme et al. (DE 4434044A1) disclosed a system for remotely monitoring appliances.

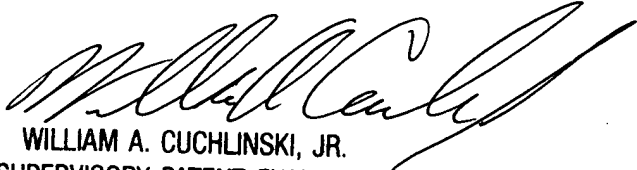
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph R Maniwang whose telephone number is (571) 272-3928. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William A Cuchlinski can be reached on (571) 272-3925. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JM



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